

## Message Text

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15

ACTION EA-14

INFO OCT-01 ISO-00 SCS-03 H-03 L-03 RSC-01 DRC-01 SCA-01

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P 220443Z SEP 73

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC PRIORITY 8876

INFO AMCONSUL SURABAYA PRIORITY

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E.O. 11652: N/A

TAGS: CPRS, ID

SUBJECT: SENATOR LONG INQUIRY CHURCH PROPERTY SEMARANG

REF: STATE 187282

1. PROPERTY CASE SUBJECT OF REFTTEL IS LONG-STANDING DISPUTE DATING FROM 1969 INVOLVING OWNERSHIP AND OCCUPANCY OF BUILDING OF UNITED PENTECOSTAL CHURCH, CENTRAL JAVA. DISPUTANTS ARE U.S. BASED UNITED PENTECOSTAL CHURCH INTERNATIONAL (UPCI) AND SPLINTER INDONESIAN GROUPS CALLED GEREDJA PANTEKOSTA SERIKAT INDONESIA (GPSI).

2. CASE RESULTS FROM CANCELLATION IN 1969 OF POWER OF ATTORNEY GIVING CONTROL OF PROPERTY TO MEMBERS OF GPSI AND SUBSEQUENT FORCIBLE OCCUPATION OF PREMISES BY GPSI. DISPUTE WAS TAKEN TO COURT BY BOTH SIDES IN 1971 AND IN 1972 SEMARANG STATE COURT DECIDED IN FAVOR OF UPCI ON ALL COUNTS AND ORDERED GPSI TO VACATE PROPERTY FORTHWITH. GPSI SQUATTERS REFUSED TO VACATE AND STILL OCCUPY PROPERTY.

3. ON JANUARY 17, 1973, AS POLICE WERE PREPARING TO FORCIBLY EVICT SQUATTERS UNDER TERMS OF LOCAL COURT ORDER, ACTIONS WERE ABRUPTLY TERMINATED AT LAST MINUTE REPORTEDLY ON BASIS OF TELEPHONIC ORDERS FROM SOME LIMITED OFFICIAL USE

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SOURCE IN INDONESIAN SUPREME COURT IN JAKARTA. SINCE

THAT TIME NO EXPLANATION OF SUPREME COURT ACTION HAS BEEN FORTHCOMING. ON JUNE 14 CENTRAL JAVA HIGH COURT UPHELD DECISION OF STATE COURT IN FAVOR OF UPCI BUT NO FURTHER EFFORTS HAVE BEEN MADE TO EVICT SQUATTERS BY FORCE.

4. UPCI LOCAL REPRESENTATIVES HAVE KEPT CONSULATE

SURABAYA AND EMBASSY INFORMED OF DEVELOPMENTS SINCE INCEPTION OF CASE LATE 1969. IN INITIAL PERIOD WE ADVISED UPCI TO PROCESS CASE THROUGH LOCAL COURTS AND CONSULATE PERIODICALLY REQUESTED STATUS REPORTS FROM LOCAL AUTHORITIES. BETWEEN JANUARY 22, 1973, AND SEPTEMBER 20, THE EMBASSY SENT FOUR FORMAL NOTES TO THE FOREIGN OFFICE REQUESTING A REPORT ON THE INTERVENTION OF THE SUPREME COURT IN THIS CASE AND AN EMBASSY OFFICER PERSONALLY VISITED THE FOREIGN OFFICE FOUR OTHER TIMES FOR THE SAME PURPOSE. THE CONSULATE HAS HAD FREQUENT CONTACTS WITH UPCI LEADERS AND HAS WRITTEN A NUMBER OF STATUS REQUESTS TO THE GOVERNOR AND HEADS OF THE COURTS IN CENTRAL JAVA. TO DATE THESE ACTIONS ON OUR PART HAVE PRODUCED LITTLE CONCRETE RESULTS.

5. HOWEVER, ON SEPTEMBER 20, AN EMBASSY OFFICER VISITED THE FOREIGN OFFICE AND WAS ADVISED BY AN APPROPRIATE OFFICIAL THAT ARRANGEMENTS WOULD BE MADE FOR THE TWO OFFICERS TO DISCUSS THE CASE WITH THE CHIEF OF THE SUPREME COURT OR HIS REPRESENTATIVE. WHEN SUCH A MEETING TAKES PLACE THE DEPARTMENT, UPCI AND THE CONSULATE WILL BE INFORMED OF ITS RESULTS.

6. BASIC PROBLEMS IN THIS CASE MAY ARISE FROM INTRICACY OF INDONESIAN PROPERTY LAWS AND DIFFICULTY IN EVICTING SQUATTERS FROM PROPERTY ANYWHERE IN COUNTRY AND PARTICULARLY FROM FOREIGN OWNED PROPERTY. MISSION ITSELF HAS BEEN UNABLE TO RECOVER SEVERAL PROPERTIES, DESPITE LONG AND PERSISTENT EFFORTS AT BOTH LEGAL AND POLITICAL LEVEL.

7. EMBASSY AND CONSULATE HAVE ATTEMPTED FROM OUTSET LIMITED OFFICIAL USE

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TO EXTEND FULL COOPERATION TO UPCI, BUT AS WOULD BE THE CASE OF FOREIGN EMBASSY IN U.S., OFFICIAL USG EFFORTS TO ASSIST IN RESOLUTION OF CASE ARE NECESSARILY LIMITED IN ORDER TO AVOID INFERENCE OF INTERFERENCE IN JUDICIAL PROCESSES OF SOVEREIGN INDONESIAN STATE. NEVERTHELESS, EMBASSY WILL CONTINUE TO PRODUCE FOREIGN OFFICE FOR EXPLANATION SUPREME COURT ACTION AND EFFECTIVE RESOLUTION OF CASE.

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